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6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**
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9 JONI M. COSTELLO,

10 Plaintiff,

11 v.

12 DEMOCRACY PREP AGASSI CAMPUS,

13 Defendant.
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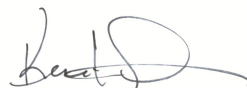
Case No. 2:17-CV-02490-KJD-GWF

ORDER

15 Presently before the Court is Plaintiff's Motion to Dismiss (#3). Having read and considered
16 the motion, and good cause lacking, it is denied. The practice of the courts in the District of Nevada,
17 when cases are consolidated – or in a situation like this where they are duplicative – is to close the
18 higher numbered case and retain the first-filed action. Therefore, the Court denies the motion to
19 dismiss. The proper course of action would be to file a motion to consolidate the cases or to file a
20 motion to dismiss in the higher numbered action, 2:17-cv-02491-JAD-VCF.

21 **IT IS SO ORDERED.**

22 DATED this 27TH day of October 2017.
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26 Kent J. Dawson
United States District Judge